

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
CEMENT MASONS' LOCAL 780 TRUST FUND, :  
PENSION FUND, ANNUITY FUND, VACATION :  
FUND, LABOR MANAGEMENT TRUST FUND :  
and OTHER FUNDS, ALFRED GEROSA and :  
ANGELO SCAGNELLI, Trustees (Trustee Angelo :  
Scagnelli as Financial Secretary of Cement :  
Masons' Local), :  
Plaintiffs, :  
: :  
-against- :  
: :  
MANHATTAN STRUCTURES, INC. and :  
MANHATTAN STRUCTURAL CONCRETE, :  
INC., :  
: :  
Defendants. :  
-----X

**AMENDMENT TO  
ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

04-CV-4923 (DLI) (KAM)

**DORA L. IRIZARRY, U.S. District Judge:**

This court's order dated March 31, 2006 is hereby amended to include the issuance of a permanent injunction requiring defendants to comply with terms of the Collective Bargaining Agreement ("CBA") by submitting timely reports from January 1, 2001 to the present and continuing as these reports become due. In addition, defendants are directed to cooperate with and permit plaintiffs to conduct an audit of defendants' books and records for January 1, 2001 to the present and continuing pursuant to the express authorization contained in the CBA.

ORDERED that plaintiffs shall serve a copy of this Order by hand or overnight delivery no later than April 19, 2006 and electronically file an affidavit demonstrating service of the same.

DATED:      Brooklyn, New York  
                 April 17, 2006

\_\_\_\_\_  
/s/  
DORA L. IRIZARRY  
United States District Judge